

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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PATRICE PERRY,

Plaintiff,

v.

CAPITAL ONE,

Defendant.

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CIVIL ACTION

No. 2:11-cv-27

**ORDER**

**AND NOW**, this 29<sup>th</sup> day of February, 2012, upon consideration of Defendant Capital One's Motion for Partial Summary Judgment (Doc. No. 17), Plaintiff's Motion for Leave to File an Amended Complaint (Doc. No. 20), and the responses thereto, and for the reasons set forth in the Court's Memorandum Opinion, it is hereby **ORDERED** that Defendant's motion is **GRANTED**, and Plaintiff's motion is **DENIED**. Plaintiff's recovery shall be limited to statutory damages pursuant to 73 Pa.C.S. § 201-9.2.

**BY THE COURT:**

**/s/ Mitchell S. Goldberg**

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**Mitchell S. Goldberg, J.**